IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY THE EIGHTH DAY OF MARCH TWO THOUSAND AND SIX

:PRESENT:

THE HON'BLE SRI JUSTICE: **BILAL NAZKI**

AND

THE HON'BLE SRI JUSTICE: **G.CHANDRAIAH**

WRIT PETITION No. 405 of 2006

Between:

Shaik Khajapeer, S/o. Late S.Ismail.

..... Petitioner

AND

1. The District Coordinator of Hospital Services, District Hospital, Cuddapah.
2. The Medical Superintendent, District Hospital (APVVP), Cuddapash District.
3. The Assistant Audit Officer, O/o. The Commissioner, APVVP, Sultan Bazar, Koti, Hyderabad.

...Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, writ or writs particularly one in the nature of WRIT OF MANDAMUS by declaring the action of the 2nd respondent in insisting the petitioner to pay the amount of Rs. 1,04,576/- towards sales tax @ 8% for the period 10/2003 to 9/2005 as illegal, arbitrary, without application of mind, without jurisdiction and contrary to the provisions of the APGST Act, 1957 and consequently held that the petitioner is exempted from being payment of sales tax for the supply of diet to inpatients and Duty Doctors in the Government Hospitals.

The Petition coming on for hearing upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri Dr.A.Raghu Kumar, Advocate for the Petitioner and of Sri S.A.Waheed Shabaz – S.C. on behalf of the Respondents.

The Court made the following **ORDER:**

“ Respondent No.1 shall produce the agreement entered into between
him and the petitioner on the next date of hearing.
List after one week.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The District Coordinator of Hospital Services, District Hospital, Cuddapah. (**By Speed Post**)
2. The Medical Superintendent, District Hospital (APVVP), Cuddapash District.
3. The Assistant Audit Officer, O/o. The Commissioner, APVVP, Sultan Bazar, Koti, Hyderabad.
4. One CC to Sri Dr. A.Raghu Kumar, Advocate(OPUC)
5. Two spare copies.

SAH

HIGH COURT

BN, J
&
GC, J

DATED 06-02-2006

NOTE: LIST AFTER TEN DAYS FOR COUNTER

ORDER

W.P.NO. 28041 OF 2005

EXTENSION OF INTERIM STAY

Skm
Drafted on: 07-02-2006

HIGH COURT

BN, J
&
GC, J

DATED 06-02-2006

NOTE: LIST AFTER TEN DAYS FOR COUNTER

ORDER

W.P.NO. 28041 OF 2005

EXTENSION OF INTERIM STAY